

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

FTX TRADING, LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

**VERIFIED FIFTH SUPPLEMENTAL STATEMENT OF EVERSLEDs
SUTHERLAND (US) LLP AND MORRIS, NICHOLS, ARSHT, & TUNNELL LLP
PURSUANT TO BANKRUPTCY RULE 2019**

Eversheds Sutherland (US) LLP (“Eversheds”) and Morris, Nichols, Arsht & Tunnell LLP (“Morris Nichols,” and together with Eversheds, “Counsel”), counsel to the Ad Hoc Committee of Non-US Customers of FTX.com (the “Ad Hoc Committee”) comprising international customers (each a “Member” and collectively, the “Members”) who hold accounts on the FTX.com platform, hereby submit this verified fifth supplemental statement (the “Fifth Supplemental Statement”) pursuant to Rule 2019 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rule 2019”), and respectfully state as follows:

1. On or around December 2, 2022, the initial Members of the Ad Hoc Committee engaged Eversheds to represent the Ad Hoc Committee in connection with the Chapter 11 Cases (the “Chapter 11 Cases”) of the above-captioned debtors and debtors in possession (the “Debtors”). Morris Nichols was engaged by the Ad Hoc Committee effective December 4, 2022.

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification numbers are 3288 and 4063, respectively. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

2. On March 24, 2023, Counsel filed the *Verified Statement of Eversheds Sutherland (US) LLP and Morris, Nichols, Arsht, & Tunnel LLP Pursuant to Bankruptcy Rule 2019* [D.I. 1156] (the “Initial Statement”).

3. On June 7, 2023, Counsel filed the *Verified First Supplemental Statement of Eversheds Sutherland (US) LLP and Morris, Nichols, Arsht, & Tunnell LLP Pursuant to Bankruptcy Rule 2019* [D.I. 1580] (the “First Supplemental Statement”).

4. On August 9, 2023, Counsel filed the *Verified Second Supplemental Statement of Eversheds Sutherland (US) LLP and Morris, Nichols, Arsht, & Tunnell LLP Pursuant to Bankruptcy Rule 2019* [D.I. 2144] (the “Second Supplemental Statement”).

5. On November 15, 2023, Counsel filed the *Verified Third Supplemental Statement of Eversheds Sutherland (US) LLP and Morris, Nichols, Arsht, & Tunnell LLP Pursuant to Bankruptcy Rule 2019* [D.I. 3797] (the “Third Supplemental Statement”).

6. On November 30, 2023, Counsel filed the *Verified Fourth Supplemental Statement of Eversheds Sutherland (US) LLP and Morris, Nichols, Arsht, & Tunnell LLP Pursuant to Bankruptcy Rule 2019* [D.I. 4400] (the “Fourth Supplemental Statement”).

7. Pursuant to Bankruptcy Rule 2019(d), this Fifth Supplemental Statement supplements the information provided in the Fourth Supplemental Statement. Since the date of the Fourth Supplemental Statement, certain changes have been made with respect to the composition of the Ad Hoc Committee and the disclosable economic interests that the Members represent.

8. Attached hereto as **Exhibit A** is a revised list of the names, addresses, and disclosable economic interests of the Members, as reported to Counsel by each Member as of

January 31, 2024, which is intended, as of the date hereof, to replace and supersede Exhibit A attached to the Fourth Supplemental Statement.²

9. The information in Exhibit A, which is based on information provided by the Members to Counsel, is intended only to comply with Bankruptcy Rule 2019 and is not intended for any other purpose. Moreover, given the Members' limited access to the FTX.com platform, the information provided is based on the best available records and is subject to change. Counsel does not make any representation regarding the validity, amount, allowance, or priority of such claims and reserves all rights with respect thereto. Counsel does not own, nor has it ever owned, any claims against or interests in the Debtors, except for the claims for services rendered by the Ad Hoc Committee.

10. Nothing contained in this Fifth Supplemental Statement (or Exhibit A hereto) should be construed as a limitation upon, or waiver of, any rights of any Member of the Ad Hoc Committee, its respective affiliates, or any other entity, or an admission with respect to any fact or legal theory. Nothing herein should be construed as a limitation upon, or waiver of, any rights of the Ad Hoc Committee or its Members to assert, file, and/or amend any claim or proof of claim filed in accordance with applicable law and any orders entered in these cases.

11. Each Member of the Ad Hoc Committee has consented to Counsel's representation of the Ad Hoc Committee. Counsel does not represent any Member of the Ad Hoc Committee in its individual capacity with respect to the objective of the Ad Hoc Committee in the Chapter 11 Cases. While certain Members of the Ad Hoc Committee may hold non-customer claims in

² For the avoidance of doubt, all customers of FTX.com are welcome to join the Ad Hoc Committee, subject to requirements and protocols set forth in the Ad Hoc Committee Bylaws. We invite all who are interested to contact counsel to the Ad Hoc Committee via email at FTXinquiries@eversheds-sutherland.com.

addition to customer claims, the Ad Hoc Committee represents such Members' interests solely in connection with their customer claims.

12. As of the date of this Fifth Supplemental Statement, Eversheds and Morris Nichols represent parties in their individual capacities unrelated to the objective of the Ad Hoc Committee in the Chapter 11 Cases. In addition, neither the Ad Hoc Committee nor any Member of the Ad Hoc Committee represents or purports to represent any other entities in connection with these cases.

13. Counsel reserves the right to amend or supplement this Fifth Supplemental Statement in accordance with the requirements set forth in Bankruptcy Rule 2019.

14. The undersigned verify that the foregoing is true and correct to the best of their knowledge.

[Signature Page Follows]

Date: Wilmington, Delaware
January 31, 2024

/s/ Jonathan M. Weyand

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

Matthew B. Harvey (No. 5186)
Jonathan M. Weyand (No. 6959)
1201 North Market Street, 16th Floor
Wilmington, Delaware 19801
Telephone: (302) 658-9200
Facsimile: (302) 658-3989
mharvey@morrisnichols.com
jweyand@morrisnichols.com

EVERSHEDS SUTHERLAND (US) LLP

Erin E. Broderick
Michael A. Rogers
227 West Monroe Street, Suite 6000
Chicago, Illinois 60606
Telephone: (312) 724-9006
Facsimile: (312) 724-9322
erinbroderick@eversheds-sutherland.com
michaelrogers@eversheds-sutherland.com

Nathaniel T. DeLoatch
999 Peachtree St. NE
Atlanta, GA 30309
Telephone: (404) 853-8000
Facsimile: (404) 853-8806
nathanieldeloatch@eversheds-sutherland.com

Sarah E. Paul
The Grace Building, 40th Floor
1114 Avenue of the Americas
New York, New York 10036
Telephone: (212) 389-5000
Facsimile: (212) 389-5099
sarahpaul@eversheds-sutherland.com

*Counsel to the Ad Hoc Committee of Non-US
Customers of FTX.com*